

COLLEGE STUDENT AID COMMISSION[283]

Notice of Intended Action

Proposing rule making related to National Guard master's degree scholarship program and providing an opportunity for public comment

The College Student Aid Commission hereby proposes to adopt new Chapter 29, "Iowa National Guard Master's Degree Scholarship Program," Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 261.3.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 261 and 2021 Iowa Acts, House File 428.

Purpose and Summary

This proposed rule making implements provisions related to providing scholarships to members of the National Guard who are enrolled in certain master's degree programs as enacted by 2021 Iowa Acts, House File 428. In the event that the Adjutant General authorizes the expenditure of unencumbered or unobligated funds from Iowa Code section 261.86(6) to provide scholarship awards for the recruitment or retention of individuals who are pursuing completion of science, technology, engineering, and mathematics master's degree programs, the Iowa National Guard and Commission will utilize this new chapter to guide the administration of those benefits.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any, pursuant to 283—Chapter 7.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Commission no later than 4:30 p.m. on August 31, 2021. Comments should be directed to:

Mark Wiederspan
Executive Director
Iowa College Student Aid Commission
475 S.W. Fifth Street, Suite D
Des Moines, Iowa 50309-4806
Phone: 515.725.3410
Fax: 515.725.3401
Email: mark.wiederspan@iowa.gov or administrative rules website at rules.iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Adopt the following **new** 283—Chapter 29:

CHAPTER 29

IOWA NATIONAL GUARD MASTER’S DEGREE SCHOLARSHIP PROGRAM

283—29.1(261) Scholarships to Iowa national guard members for master’s degree studies at eligible Iowa institutions. In the event that the adjutant general authorizes the expenditure of unencumbered or unobligated funds from Iowa Code section 261.86(6) for the recruitment or retention of individuals by providing a scholarship award to an eligible member of the Iowa national guard, this chapter shall be used to administer authorized scholarships. The adjutant general shall select program recipients and authorize scholarship awards under this chapter. The decision of the adjutant general is final.

29.1(1) Definitions. As used in this chapter:

“*Eligible program of study*” means a master’s degree program in science, technology, engineering, and mathematics-related military occupational specialties or air force specialty codes that is in compliance with the federal Edith Nourse Rogers STEM scholarship program established under 38 United States Code §3320.

“*Federal active duty*” means military duty performed pursuant to orders issued under Title 10, United States Code, other than for training.

“*State-defined payment period*” means one of six payment terms and corresponding deadlines as defined by the college student aid commission.

29.1(2) Eligible guard member. A recipient must:

- a. Be a resident of Iowa, as defined by the adjutant general of Iowa, and a member of an Iowa army or air national guard unit throughout each term for which the member receives benefits.
- b. Have satisfactorily completed required guard training.
- c. Have maintained satisfactory performance of guard duty.
- d. Have applied to the adjutant general of Iowa for program eligibility by the established application deadline date(s) by completing the Free Application for Federal Student Aid (FAFSA) and any other application form required. The adjutant general shall accept an application from an eligible member of the Iowa national guard who was on federal active duty at the time of an application deadline if the application is received within 30 days after the eligible member returns to Iowa from federal active duty. The applicant will be considered for funding for the state-defined payment period in which the application was received and any future state-defined payment periods in that academic year.
- e. Be pursuing an eligible program of study at an institution of higher education governed by the state board of regents or an accredited private institution or eligible institution located in Iowa that meets all eligibility requirements set forth in Iowa Code section 261.9.
- f. Be maintaining satisfactory academic progress.
- g. Have been offered the scholarship incentive either:

- (1) In the military entrance process, or
- (2) Within the final year of the service member's initial contract obligation, if the individual signs a six-year extension.

29.1(3) *Selection criteria.* The adjutant general will select eligible guard members to receive the scholarship benefit. Neither eligibility nor scholarship award determinations shall be based upon an eligible guard member's unit, the location at which drills are attended, or whether the eligible guard member is a member of the Iowa army or air national guard.

29.1(4) *Award limitations.* Awards may be used for tuition and fees; room and board; books, supplies, transportation and personal expenses; dependent care; and disability-related expenses. Individual award amounts shall be determined by the adjutant general and shall neither be less than an amount equal to 50 percent of the resident tuition rate established for students attending the eligible program of study at regent institutions nor exceed the amount of the resident tuition rate established for students attending the eligible program of study at regent institutions.

29.1(5) *Restrictions.* An eligible guard member may receive the scholarship award for no more than 36 semester credit hours, or the equivalent, of graduate degree study. All credit hours applicable to the eligible program of study in a term of enrollment in which a scholarship was received must be reported to the commission within the state-defined payment period.

29.1(6) *Verification and compliance.*

a. The adjutant general will notify the commission of all eligible guard members. Changes in member eligibility will be sent to the commission within 30 days of the change.

b. The commission will notify eligible Iowa colleges and universities of guard member eligibility.

c. The commission will coordinate the collection and dissemination of eligibility and enrollment information received from the adjutant general and colleges and universities.

d. The institution's financial aid administrator will be responsible for completing academic progress enrollment verifications and for coordinating other aid to ensure compliance with student eligibility requirements and allowable award amounts. Colleges and universities will report changes in student enrollment to the commission within 30 days after the last day of the enrollment period.

This rule is intended to implement 2021 Iowa Acts, House File 428.